IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

Bail Appl..No. 1978 of 2007(B)

(AGAINST CRIME NO.285/2006 OF THE PALAKKAD CRIME BRANCH)

PETITIONERS:

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1. SHAJI K.JOSE,AGED 36 YEARS,S/O.K.D.JOSE, KURISINGAL HOUSE,ARPOOKARA,EAST P.O,PANAMPALAM, KOTTAYAM.

2. JOJO JOSEPH,S/O.JOSE,AGED PATTURUKALAYIL HOUSE,AYAMKUDI P.O,MADURAVELI,KOTTAYAM.

3. RATHEESH @ MANIKUTTAN,AGED KIZHAKKEPARAMBIL HOUSE ARPOOKARA EAST,KOTTAYAM.

BY ADV. SMT.SANDHYA RAJU

RESPONDENT:

STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1978 OF 2007 B

Dated this the 4th day of April, 2007

O R D E R

Petitioners, who are accused Nos.1 to 3 in Crime No.285/06 of CBCID, Palakkad for offences punishable under sections 420, 468 and 471 read with section 34 IPC, seek anticipatory bail.

2. In an earlier application for anticipatory bail filed by the petitioners as BA No.7432/06 this court as per order dated 20.12.2006 directed the petitioners to surrender before the Investigating Officer on any day between 21.12.06 and 23.12.06 for the purpose of custodial interrogation and recovery of incriminating documents, if any, and thereafter to seek regular bail from the Magistrate concerned. On the motion of the petitioners, the period was further extended from 23.1.07 to 25.1.07. Eventhough the petitioner had alleged that they had surrendered before the Investigating Officer within the extended period, the learned Public Prosecutor would dispute this assertion. It is thereafter that the petitioners have filed the present application for anticipatory bail.

3. There is no question of granting any anticipatory bail to the petitioners. I am, however, inclined, as a last chance, to permit the petitioners to surrender before the Investigating Officer for interrogation.

Accordingly, if the petitioners surrender before the Investigating Officer for the purpose of interrogation and recovery of incriminating materials, if any, on any day before 11.4.07, they shall be deemed to have complied with the conditions in the order dated 20.12.06 in BA No.7432/06.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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